IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 17TH DECEMBER 2007 / 26TH AGRAHAYANA 1929

Tr.P(C).No. 243 of 2007()

PETITIONER:

CHITHRA U.V., D/O.G.VIJAYAN,
AGED 26, NOW RESIDING AT "PRASADAM", ANRA-19(A),
ASAN NAGAR, VALLAKADAVU P.O.,THIRUVANANTHAPURAM-8.

BY ADV. SRI.K.B.PRADEEP

RESPONDENTS:

DR. PREMRAJ P.,S/O.M.K.PUSHPAKARAN,
AGED 32, RESIDING AT "PRANAVAM", MANTHRAPARAMBIL,
KOTTECANAL ROAD, ERNAKULAM, KOCHI-18.

BY ADV. SRI.JAIJI ITTEN

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 17/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N. KRISHNAN, J.

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Tr.P.C. NO. 243 OF 2007

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Dated this the 17th day of December, 2007.

J U D G M E N T

This Transfer Petition is filed by the wife for transfer of O.P.1280/06 filed by the husband before the Family Court, Ernakulam to the Family Court, Thiruvananthapuram to be tried along with a petition filed by her as O.P.(HMA)902/07. Both the applications are for divorce filed under the provisions of the Hindu Marriage Act. S.21-A (2) of the Act mandates that "if the petitions are presented to different district Courts, the petition presented later shall be transferred to the district Court in which the earlier petition was presented and both the petitions shall be heard and disposed of together by the district Court in which the earlier petition was presented." So, in the light of these provisions the Court can only transfer O.P.902/07 pending before the Family Court, Thiruvananthapuram to the Family Court,

Ernakulam where O.P.1280/06 filed by the husband is pending. Therefore O.P.(HMA)902/07 is transferred from Family Court, Thiruvananthapuram to the Family Court, Ernakulam for joint trial and disposal along with O.P.1280/06.

The Tr.P.C. is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

ul/-